

PROCEEDINGS OF THE BROWN COUNTY
LAND CONSERVATION SUBCOMMITTEE

Pursuant to Section 18.94 Wis. Stats., a regular meeting of the **Brown County Land Conservation Subcommittee** was held on Monday, May 23, 2011 in Room 161, UW-Extension – 115 Bellevue Street, Green Bay, WI

Present: Norb Dantinne, Bernie Erickson, Mike Fleck, Norb VandeHei

Excused: Dan Haefs, Dave Kaster

Also Present: Executive Streckenbach, Bill Hafs, Jim Jolly

I. Call Meeting to Order:

The meeting was called to order by Chair Dantinne at 6:00 p.m.

II. Approve/Modify Agenda:

Motion made by Supervisor Fleck and seconded by Supervisor Vande Hei to approve.

Vote taken. MOTION CARRIED UNANIMOUSLY

III. Approve/Modify Land Conservation Subcommittee Minutes of April 25, 2011:

Motion made by Supervisor Erickson and seconded by Supervisor Vande Hei to approve.

Vote taken. MOTION CARRIED UNANIMOUSLY

1. Land and Water Conservation Department Budget Update: April, 2011.

County Conservationist Bill Hafs provided the Land and Water Conservation Department Budget Status Report to the Committee, a copy of which is attached.

Motion made by Supervisor Fleck and seconded by Supervisor Erickson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

2. Working Lands Initiative Program Information – attached letter from DATCP Keith Foye.

Hafs pointed out that the April 21, 2011 letter and the May 2, 2011 letter from the Department of Agriculture, Trade and Consumer Protection completely contradict each other.

The State of Wisconsin requires nutrient management as well as NR 151. Hafs pointed out that Brown County is the top county in the State with regard to nutrient management plans which is mandated and yet, the County was threatened with regard to the CREP program. Hafs called the Department and asked if they were threatening other counties who are not doing the mandates because they are threatening Brown County for something that is not even mandated. The answer he received was that they are getting the money from the federal government for the CREP program and it looks bad that there are two counties, Brown and Door that are not in the program on the lakeshore. Hafs felt that the CREP program is not mandated and that being threatened is inappropriate.

Motion made by Supervisor Erickson and seconded by Supervisor Vande Hei to receive and place on file. MOTION CARRIED UNANIMOUSLY

3. Letter from DATCP regarding Conservation Reserve Enhancement Program.

Hafs indicated that he had requested a contract with regard to this CREP program and it is his recommendation that this item be put on the agenda for the next meeting to allow the Committee to review the contract. He felt that if they do decide to participate in the program, there would not be any negative impact and the threats made by the Department would be removed. Hafs provided the Committee with a flow chart showing the CREP Easement Establishment Process, a copy of which is attached. The CREP program is focused on putting in buffers along streams.

Motion made by Supervisor Fleck and seconded by Supervisor Erickson to receive and place on file. MOTION CARRIED UNANIMOUSLY

4. Such Other Matters as Authorized by Law.

Jim Jolly provided the Committee with a packet of information that had also been mailed out to 110 homeowners along the West shore of Green Bay, a copy of which is attached. He wanted to make the Committee aware that the DNR intends to spray phragmites in that area with a helicopter with the goal of restoring native plant and wildlife along the shoreline and knock the phragmites population down to a manageable regular maintenance activity for landowners.

5. Adjourn:

Motion by Supervisor Vande Hei and seconded by Supervisor Fleck to adjourn at 6:14 p.m. MOTION CARRIED UNANIMOUSLY

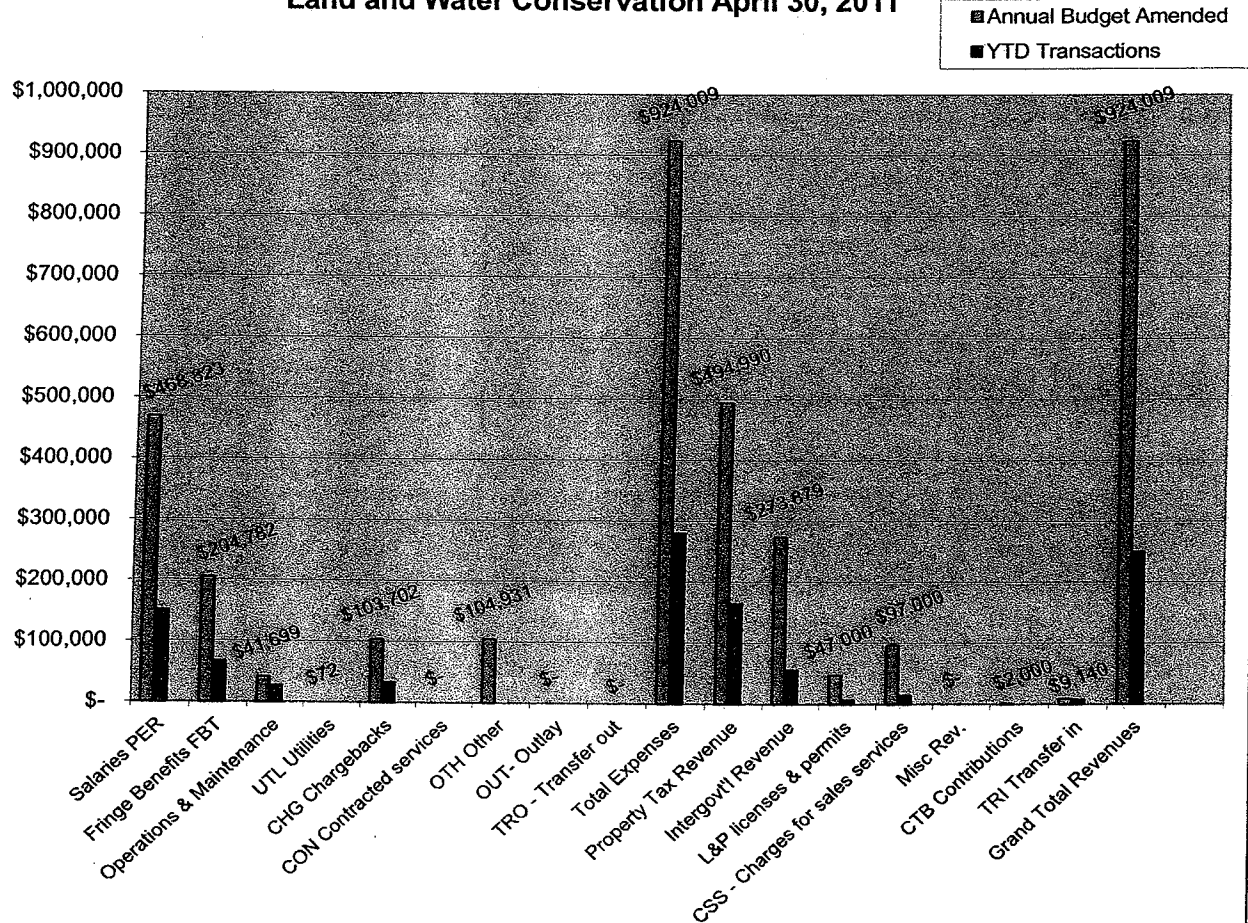
Respectfully submitted,

Therese Giannunzio
Recording Secretary

Brown County
Land and Water Conservation
Budget Status Report (unaudited)

4/30/2011	Annual Budget Amended	YTD Transactions	
Salaries PER	\$ 468,823	\$ 151,422	
Fringe Benefits FBT	\$ 204,782	\$ 67,250	
Operations & Maintenance	\$ 41,699	\$ 27,647	
UTL Utilities	\$ 72	\$ -	
CHG Chargebacks	\$ 103,702	\$ 33,488	Indirect cost, I.S., Insurance
CON Contracted services	\$ -	\$ -	
OTH Other	\$ 104,931	\$ 430	Grant exp., landowner payments, WD, L&W
OUT- Outlay	\$ -	\$ -	
TRO - Transfer out	\$ -	\$ -	
Total Expenses	\$ 924,009	\$ 280,240	30%
Property Tax Revenue	\$ 494,990	\$ 164,996	Levy
Intergov't Revenue	\$ 273,879	\$ 56,292	State grants
L&P licenses & permits	\$ 47,000	\$ 7,078	Permits, inspections
CSS - Charges for sales services	\$ 97,000	\$ 14,635	Ag 50 cent fee, Tree sales
Misc Rev.	\$ -	\$ -	
CTB Contributions	\$ 2,000	\$ -	
TRI Transfer in	\$ 9,140	\$ 7,500	
Grand Total Revenues	\$ 924,009	\$ 250,502	27%

Land and Water Conservation April 30, 2011

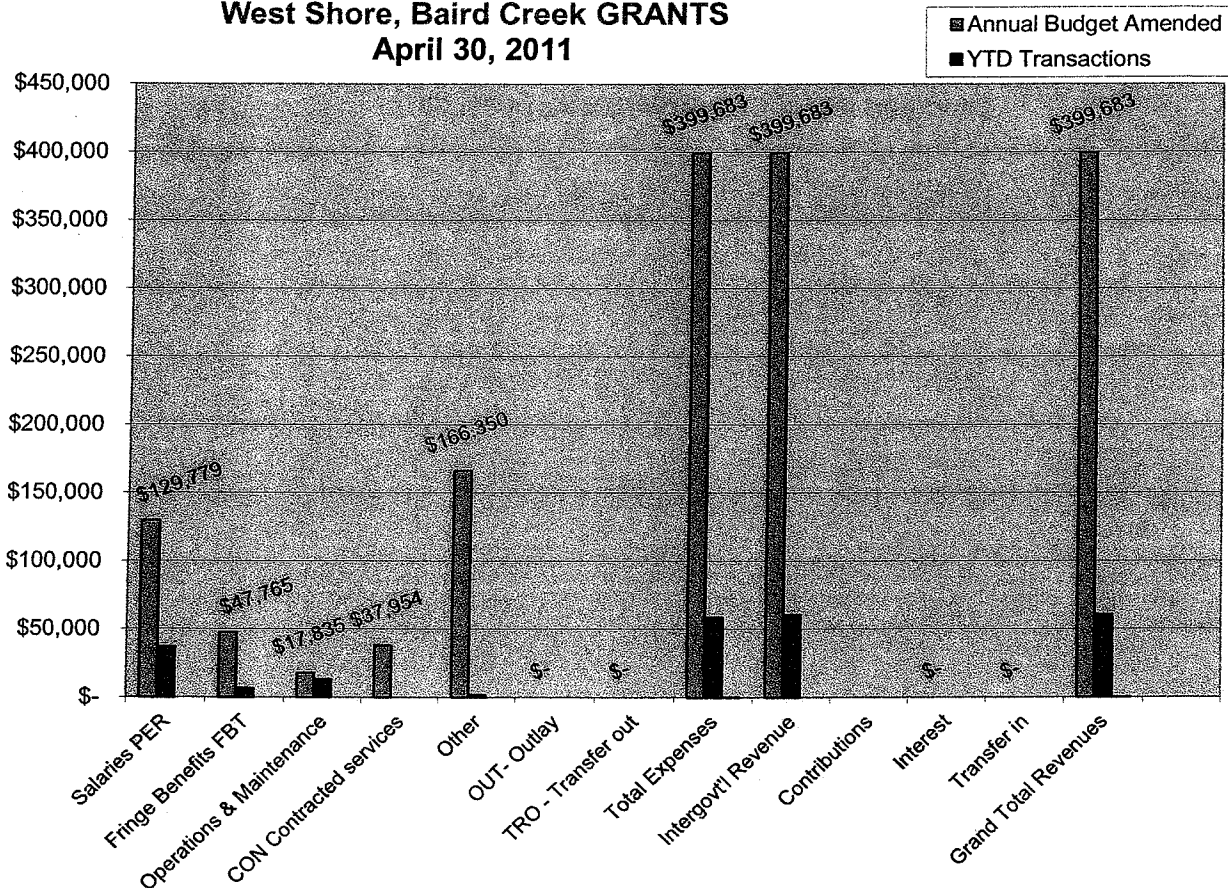


Brown County
Land Conservation West Shore, Baird Creek GRANTS
Budget Status Report (unaudited)

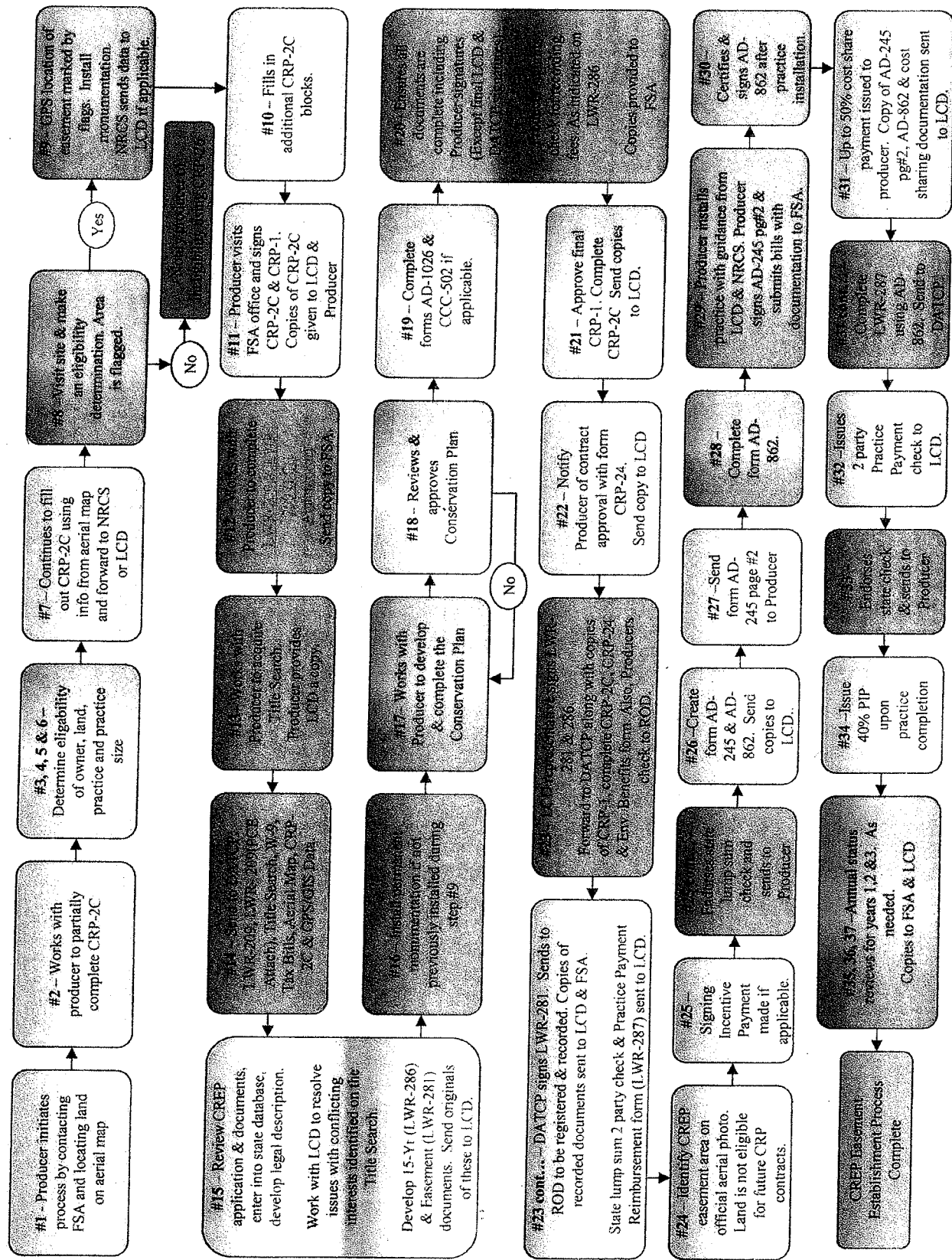
4/30/2011	Annual Budget Amended	YTD Transactions	
Salaries PER	\$ 129,779	\$ 37,089	
Fringe Benefits FBT	\$ 47,765	\$ 6,724	
Operations & Maintenance	\$ 17,835	\$ 13,272	
CON Contracted services	\$ 37,954	\$ -	
Other	\$ 166,350	\$ 1,825	
OUT- Outlay	\$ -	\$ -	
TRO - Transfer out	\$ -	\$ -	
Total Expenses	\$ 399,683	\$ 58,912	15%
Intergov't Revenue	\$ 399,683	\$ 60,801	
Contributions			
Interest	\$ -	\$ -	
Transfer in	\$ -	\$ -	
Grand Total Revenues	\$ 399,683	\$ 60,801	15%

Baird Creek Preservation Foundation
landowner payments

Land and Water Conservation
West Shore, Baird Creek GRANTS
April 30, 2011



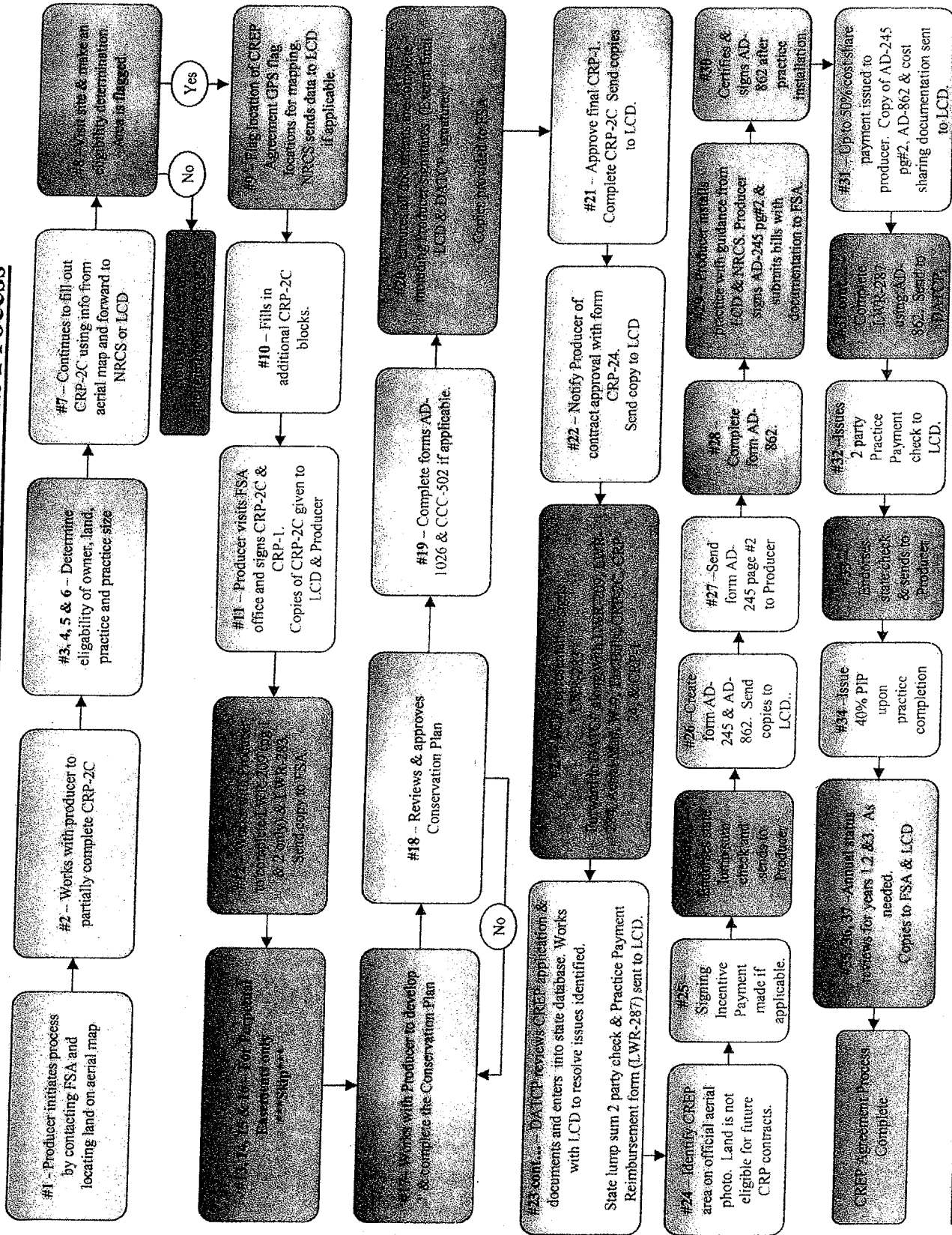
CREP Easement Establishment Process



Agency Responsible:



CREP 15 Yr Agreement Establishment Process



Agency Responsible:

- FSA
- NRCS
- DATCP
- FSA/NRCS
- State

**Great Lakes Restoration Initiative
Brown County & The Department of Natural Resources
Phragmites Control Project**



Date: April 27, 2011

Dear Landowner,

The purpose of this letter is to invite you to participate in a project to treat Phragmites on your property with herbicide. In 2010, the Wisconsin Department of Natural Resources (WDNR) received a Great Lakes Restoration Initiative grant to control Phragmites along Lake Michigan shoreline. This project focuses on Phragmites stands below the ordinary high water mark (OHWM), on exposed lakebed. The goal is to control 3,600 acres of Phragmites along 118 miles of shoreline in Brown County and 5 other NE Wisconsin Counties. Given the size of the project, a diverse partnership of County government, DNR, and conservation organizations are contributing time and resources to make this project a success.

The control strategy consists of herbicide treatments over a three year period beginning in 2011 in conjunction with limited mowing of dead canes during the winter. Helicopter and ground, herbicide treatments will be used to treat the extensive Phragmites stands along the Green Bay West shores. Follow-up treatments will be conducted in 2012 and 2013. All necessary permits will be obtained by the WDNR. The herbicide (Habitat) will be applied by aquatic pesticide applicators certified through the Department of Agriculture, Trade and Consumer Protection. ***There is no cost to landowners for the chemical application since this is a grant funded project.***

When water levels are low, the landowner has exclusive use rights to the exposed lakebed adjacent to their property. Even though the state holds title to the lakebed, ***if you want the Phragmites along your shoreline sprayed and controlled under this project we must have your written permission no later than June 1, 2011.*** Thus the next step in this project requires obtaining permission from you, the landowner, by ***signing the included permission form***, to allow project staff access to the exposed lake bed adjacent to your property to survey and treat Phragmites. Landowners will be notified when the herbicide application is to take place via, newspaper and radio. Upon receipt of signed permission forms the WDNR will authorize treatment of Phragmites adjacent to your property on the riparian area (exposed lake bed). The initial spray effort will begin this August and likely be completed by October of 2011. ***For the most successful project outcome, landowners are encouraged to contact neighbors to make sure they have returned the permission form. Gaps in spray blocks make control more complex, and may affect the overall success of the treatment effort.***

There will be a public meeting at Village of Suamico Municipal Services Center, 12781 Velp Ave., Suamico, WI 54313 on June 7th at 7:00 pm, where details about the Phragmites control project will be discussed.

If you have any questions or concerns feel free to contact the Brown County Land & Water Conservation Department at 920-391-4620 or email us at bc_land_conservation@co.brown.wi.us.

**Great Lakes Restoration Initiative
Brown County & The Department of Natural Resources
PHRAGMITES CONTROL PROGRAM**

Section A - Application Form (TO BE COMPLETED BY LANDOWNER)

Landowner _____

Address _____

City/State/Zip _____

Phone Number _____

Email: _____

Location of *Phragmites* _____

Parcel # (located on your property tax bill) _____

*By signing below I authorize the inventory and treatment of my property for the purpose of *Phragmites* control effort starting from the date of my signature until October 2013. Since there is no cost to the landowner for the chemical application, and treatment will be performed below the ordinary high water mark, land owners who choose to decline this effort must do so in writing to County Conservation Department in which your land is located.

I, _____ on this _____ day of _____, 2011 understand that this is primarily a *Phragmites* control program and that educational follow up may be provided through DNR, partner organization, or contractor to help you maintain or control future infestations. I also understand that I am encouraged to be present (if possible) at the time of treatment.

*****If this form is not received by your local County Conservation Department by June 1, 2011, your property will not be included in the spray program for 2011.***

LWCD: Brown County Land and Water Conservation Department http://bc_land_conservation@co.brown.wi.us
WDNR: Wisconsin Department of Natural Resources <http://dnr.wi.gov/org/water/greatlakes/index.htm>
GLRI: Great Lakes Restoration Initiative <http://greatlakesrestoration.us>

Mail To:
Brown County Land & Water Conservation Department
1150 Bellevue St.
Green Bay, WI 54302

Great Lakes
RESTORATION 



Frequently Asked Questions

QUESTION: Why should I be concerned with Phragmites on/near my property?

ANSWER: In addition to blocking shoreline views, hindering access to water, and creating a fire hazard for property owners and shoreline users, Phragmites is also a detriment to local native plants and wildlife. Phragmites easily outcompetes and displaces beneficial native wetland plants and its thick growth is unsuitable habitat for most birds and small animals.

QUESTION: What is the overall goal of this project?

ANSWER: It is hoped the outcome of this project will restore native plant and wildlife communities along the shoreline and knock the Phragmites population down to a manageable, regular maintenance activity for landowners affected. Controlling this invasive and informing the general public of its harm will help to prevent it from spreading to inland areas. Because this plant is so aggressive, it will take several years of follow up treatment and maintenance to contain it.

QUESTION: Why do you need a surfactant when applying herbicides?

ANSWER: A surfactant is an additive that can be mixed with pesticides (including herbicides) that reduce the surface tension of water which improves the ability of a pesticide to spread across leaf surfaces increasing pesticide contact with the target pest. Methylated seed oil (MSO) is a surfactant and has been used successfully by the DNR and other partners to treat *Phragmites* since 2003. MSO is an oil and **not** a volatile alcohol surfactant-meaning the herbicide mixture will not evaporate before contacting the plant surface. This surfactant is approved for use in aquatic environments.

QUESTION: Will herbicide applications cause damage to my desirable vegetation due to drift?

ANSWER: Herbicide applications will be made by experienced, licensed and certified applicators using techniques to mitigate drift potential. Helicopter applications use very low pressure and particular nozzles that are designed to produce large droplets so drift is kept to a minimum. For sensitive areas, the chemical application will be made with more selective equipment such as a backpack or boom sprayer. The MSO surfactant makes the smaller driftable droplets larger so it reduces drift, and the helicopter will fly very low when spraying to keep drift to a minimum. Habitat and MSO have no to very low odor. Both products are non volatile; they will not form a vapor in warm/hot weather and move offsite. However, even with the safety measures proposed above herbicide drift is still possible.

QUESTION: Will signage be placed to notify the public that herbicide applications will be made?

ANSWER: Yes, signage will be placed on public access points of all state and county lands where herbicide applications will take place. Any interested landowner who signs a permission letter will be eligible to have signage provided by DNR to you, at no cost. Signage will be placed prior to the herbicide treatment and will identify the name of the herbicide used, the anticipated date(s) of treatment, the sponsoring agency and, the sponsors contact information, and any restrictions associated with the area or water following the treatment.

QUESTION: Will landowners be notified when spraying will be done?

ANSWER: Yes, local news media (newspapers, radio, etc) will be used to communicate spraying information to landowners along Green Bay. Due to weather variations, and other unforeseen issues it is not possible to notify landowners with a specific date on which herbicide applications will take place.

QUESTION: Will all of the *Phragmites* along the West shore of Green Bay be treated?

ANSWER: No, the primary focus of this project is to treat *Phragmites* that is growing below the ordinary high water mark (OHWM), on the exposed lakebed. There may be some limited spraying of *Phragmites* above the OHWM but it will be funding and permission dependant.

QUESTION: How will you determine what is aerially treated and what is spot treated?

ANSWER: Due to maneuverability and logistics associated with the helicopters, spray blocks no less than 500 linear feet will be considered as a candidate for an aerial, helicopter treatment. However, spray block size will be determined based on the number of contiguous landowner permission consent obtained. This is a way to maximize cost effectiveness, mitigate drift to non-target areas, and provide for the safety of not only the helicopter operator, but also public safety. Spray blocks less than 500 linear feet or isolated lots will be spot treated using either a backpack or a boom sprayer. The spray block determination will be dependant on gaining permission from you and other adjacent private landowners.

QUESTION: Will my *Phragmites* be sprayed if my neighbor(s) do not grant permission for their *Phragmites* to be sprayed?

ANSWER: Any interested landowner who signs a permission letter will be eligible to have their shoreline sprayed. The DNR cannot guarantee that all interested landowners will have their shoreline treated as the amount of acreage that can be treated is dependant on the bids received from contractors. This project will be most successful if we are able to obtain consent to treat from all shorelines owners, and every effort will be made to spray as much as possible.

QUESTION: What if I am already treating or mowing the *Phragmites* on my property?

ANSWER: If you would like to have your property included in this project, it is recommended that you stop doing control work after June 30. You will need to stop mowing your current *Phragmites* population by June 30 to allow for re-growth of vegetation. Ideally, the vegetation should grow to a minimum height of 3-5 feet before the treatment begins. This is the minimum range of plant height for herbicide/spray effectiveness.

QUESTION: Can I mow the dead *Phragmites* canes after the chemical treatment?

ANSWER: Yes. But, you will need to wait 30 days after the chemical treatment is made to your *Phragmites* plants, before you can mow the dead canes. This will allow for the chemical to work its way into the plant and make contact with the roots, which allows for a more effective kill.



Straight Answers about Habitat® Herbicide

SMART VEGETATION CONTROL FOR AQUATIC AREAS

Q&A

Q: What is Habitat® herbicide?

A: Habitat is a low-volume herbicide that provides effective, long-lasting postemergent control of undesirable floating and emergent aquatic vegetation.

Q: What does Habitat control?

A: Habitat controls a broad spectrum of shoreline grass, broadleaf weeds, brush species and many perennials – including alligator weed, melaleuca, saltcedar, Brazilian pepper, water lily, torpedograss, cattail, phragmites, water hyacinth, Chinese tallow, purple loosestrife, water lettuce and water primrose.

Q: Why is Habitat considered a low-volume herbicide?

A: Habitat contains the active ingredient imazapyr, which is part of the imidazolinone chemical family manufactured by BASF Corporation. These products are effective at very low rates of active ingredient, which puts less chemical load on the environment.

Q: How does Habitat work?

A: Habitat inhibits a plant-specific enzyme, causing the plant to stop growing and slowly die as its food and energy reserves are exhausted. This enzyme is not found in animals or humans.

Q: Where can Habitat be used?

A: Habitat is labeled for use in and around standing and flowing water – including lakes, rivers, streams, ponds, seeps, drainage ditches, canals, reservoirs, terrestrial, estuarine, marine and aquatic sites and seasonal wet areas.

See the **Habitat** label for precautions, restrictions and instructions on aquatic uses.

Q: How fast does Habitat work?

A: Within 10 hours of application, Habitat slows and stops growth of susceptible species. Generally, one to two weeks after application, plant yellowing (chlorosis) can be seen. Between two and four weeks, death of growing points occurs. Complete control of targeted vegetation may take a month or more.

Q: How is Habitat applied?

A: Habitat is versatile enough to work well with a variety of application methods and equipment – including low-volume foliar backpack and hydraulic applications, and cut-surface, boom equipment and aerial applications.

Q: Who can apply Habitat?

A: Only applicators who are licensed or certified as aquatic pest control applicators and are authorized by state or local government, or federal and state government entities, such as Water Management District personnel, municipal officials and the U.S. Army Corps of Engineers, may apply Habitat.

Q: How does Habitat affect the environment?

A: Habitat has met all of the United States Environmental Protection Agency (EPA) requirements for aquatic use and as such, should not result in unreasonable risk to the environment when used as labeled.

Habitat
herbicide

Learn more about the application and benefits of **Habitat® herbicide** by calling **1-800-545-9525** or by visiting the BASF Professional Vegetation Management Web site,

www.vmanswers.com.

Professional
Vegetation
Management

 **BASF**

The Chemical Company



Straight Answers about Habitat® Herbicide

SMART VEGETATION CONTROL FOR AQUATIC AREAS

Q&A

Q: How does Habitat® herbicide affect humans and animals?

A: With the exception of green plants, **Habitat** is considered to be practically nontoxic as determined by results from EPA-required testing (see **Habitat** Technical Information Bulletin for specific study results). This is true in part because of its mode of action that directly inhibits AHAS, a plant specific enzyme. **Habitat** has undergone the full battery of EPA-required testing and results indicate that **Habitat** is not a mutagen, carcinogen, teratogen or endocrine disruptor. Furthermore, when used as labeled, **Habitat** should not have a direct adverse effect on mammals, birds, fish, crustaceans, mollusks or insects.

Q: Can livestock consume water treated with Habitat?

A: There are no restrictions on livestock consumption of water from an area treated with **Habitat**.

Q: Are there any irrigation restrictions with the use of Habitat?

A: Water treated with **Habitat** may not be used for irrigation purposes for 120 days after application or until herbicide residue levels are determined by laboratory analysis, or other appropriate means of analysis, to be 1.0 ppb or less. Please consult the **Habitat** label for other irrigation restrictions that may apply.

Q: What are the recreational use restrictions following application of Habitat?

A: There are no restrictions on the recreational use of water in the **Habitat** treatment area – including swimming and fishing. The active ingredient in **Habitat** does not contain heavy metals, organochlorides or phosphates.

Always read and follow label directions.

Habitat is a registered trademark of BASF.

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